

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Group Art Unit 1732

Appl. No. : 10/500,998
Confirmation No. : 3364
Applicant : Stefan Zikeli, et al.

Filed : October 7, 2004
Title : SPINNING APPARATUS AND
METHOD WITH BLOWING
BY MEANS OF A COOLING
GAS STREAM

TC/A.U. : 1732
Examiner : Tentoni, Leo B.

Docket No. : 041165-9063-00

Customer No. : 23409

DECLARATION OF STEFAN ZIKELI UNDER 37 C.F.R. § 1.131

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I, Stefan Zikeli, hereby declare and state the following:

1. I am a joint inventor listed on U. S. Patent Application No. 10/500,998, which was granted a filing date of October 7, 2004 and claims priority to PCT Patent Application PCT/EP02/12591, filed November 11, 2002. I make this declaration in support of U.S. Patent Application No. 10/500,998.
2. I understand that the U. S. Patent and Trademark Office has rejected claims 1-24 as being unpatentable over U.S. Patent No. 5,607,639 to Zikeli et al. ("the '639 patent") and PCT Publication No. WO 96/21758 A1 to Graveson et al.
3. I am the first-named inventor listed on the '639 patent.
4. The '639 patent discloses the manufacture of a cellulose sheet extruded through an elongated slot, or a cellulose tube extruded through an annulus. One of the objects of the

invention of the '639 patent was to provide a cooling gas stream to cool the extruded sheet or tube, without requiring significant modification of the spinning head. The design shown in Figs. 1 and 2 of the '639 patent was conceived in which nozzle blocks were outfitted on the side faces with guides for the cooling gas adjustable downwards in the direction of extrusion.

4. Exhibit A, attached hereto, is an annotated version of Fig. 1 of the '639 patent. The arrows added by annotation at 5 show that the flow pattern generated by the cooling gas stream impinges on the extruded cellulose sheet, and is deflected up onto the extrusion orifice and down in the direction of extrusion. This deflection occurs because the cooling gas stream cannot penetrate into the cellulose sheet. A similar deflection would occur with the extruded cellulose tube. In contrast, a different flow regime results when a cooling gas stream is directed onto a multitude of spaced-apart filaments. There is therefore no shielding zone between the cooling gas stream and the orifice opening in the '639 patent, because the flow of the cooling gas impinges onto the cellulose sheet and is directed right onto the extrusion orifices.

5. The lack of a shielding zone in the '639 patent is further exemplified in Fig. 2 of the '639 patent, where the cooling gas stream is directed on the interior of the cellulose tube. This gas stream emanates between the baffle plate (13) and a metal guide (14) and is directed right onto the extrusion orifices, without a shielding zone in between.

6. I, Stefan Zikeli, hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true. I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated:

Dec. 5, 2006


Stefan Zikeli

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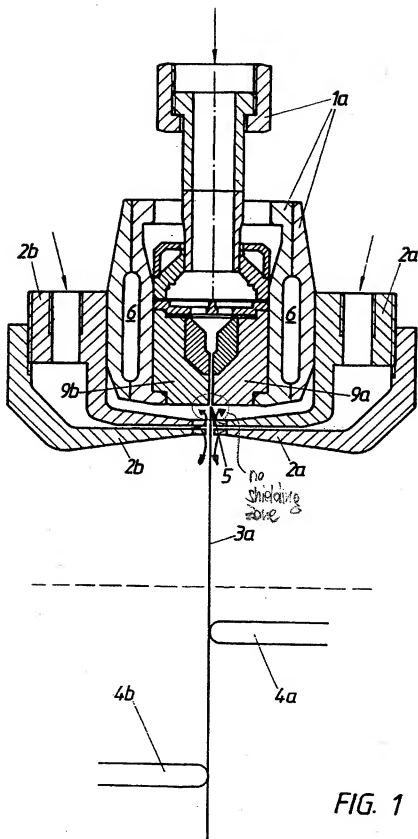


FIG. 1